

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY                      D.C.

~~05 JUL 15 AM 9:15~~

MAXEY MAXWELL and  
LINZIE MAXWELL,

**Plaintiffs,**

**v.**

FRED PHILLIPS, in his official capacity as Commissioner of the Tennessee Department of Safety,

**Defendant.**

**No. 05-2280 M1/v**

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

## ORDER TO SHOW CAUSE

Before the Court is Defendant's Motion for Summary Judgment, filed May 9, 2005. Under Local Rule 7.2(a)(2) and Fed. R. Civ. P. 6, a response to the motion was due on or before June 7, 2005. To date, Plaintiff has not filed a response. Accordingly, Plaintiff is hereby ORDERED to SHOW CAUSE within ten (10) days of the date of entry of this Order why Defendant's motion should not be granted.<sup>1</sup>

Failure to respond to this Order to Show Cause in a timely manner may result in the Court granting Defendant's Motion for Summary Judgment.

So ORDERED this 14 day of July, 2005.

JON P. McCALLA  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> To comply with this Order, Plaintiff must file a written response to the Motion for Summary Judgment.

6



## Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02280 was distributed by fax, mail, or direct printing on July 15, 2005 to the parties listed.

---

Rebecca Lyford  
ATTORNEY GENERAL'S OFFICE  
P.O. Box 20207  
Nashville, TN 37202

Javier M. Bailey  
WALTER BAILEY & ASSOCIATES  
100 North Main St.  
Ste. 3002  
Memphis, TN 38103

Honorable Jon McCalla  
US DISTRICT COURT